JULIA A. OLSON (OR Bar 062230)
juliaaolson@gmail.com
WILD EARTH ADVOCATES
1216 Lincoln Street
Eugene, OR 97401
Tel: (415) 786-4825

DANIEL M. GALPERN (OR Bar 061950)
dan.galpern@gmail.com
LAW OFFICES OF DANIEL M. GALPERN
2495 Hilyard Street, Suite A
Eugene, OR 97405
Tel: (541) 968-7164

JOSEPH W. COTCHETT
jcotchett@cpmlegal.com
PHILIP L. GREGORY (*pro hac vice*)
pgregory@cpmlegal.com
PAUL N. MCCLOSKEY
pmccloskey@cpmlegal.com
COTCHETT, PITRE & McCARTHY, LLP
San Francisco Airport Office Center
840 Malcolm Road
Burlingame, CA 94010
Tel: (650) 697-6000
Fax: (650) 697-0577

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

KELSEY CASCADIA ROSE JULIANA; **XIUHTEZCATL TONATIUH M.**, through his Guardian Tamara Roske-Martinez; et al.

Plaintiffs,

v.

The UNITED STATES OF AMERICA; **DONALD TRUMP**, in his official capacity as President of the United States; et al.,

Federal Defendants.

Case No.: 6:15-cv-01517-TC

DECLARATION OF JULIA A. OLSON in Support of Plaintiffs' Response to Intervenor Defendant National Association of Manufacturers' Motion To Withdraw

I, Julia, A. Olson, hereby declare and if called upon would testify as follows:

1. I am an attorney of record in the above-entitled action and I have personal knowledge of the statements made herein.
2. On February 15, 2017, Plaintiffs served counsel for Intervenor Defendants with a draft Rule 11 motion, which included relevant evidence of knowledge of each trade association, and their members, on the factual allegations of climate change, in an effort to compel Intervenor Defendants to specifically admit or deny the allegations. Attached as Exhibit 1 to this declaration is a true and correct PDF copy of that draft Rule 11 motion.
3. On May 19th, 2017, Frank Volpe, Counsel for Intervenor Defendants, told Counsel for Plaintiffs that NAM was not authorized to speak on the facts of climate change because its members had not agreed upon those facts and therefore had not authorized NAM to speak for them.
4. Attached as Exhibit 2 to this declaration is a list of NAM members represented on the NAM Board of Directors, pulled from: National Association of Manufacturers, About, Board of Directors, http://www.nam.org/About/Board-of-Directors/ (last visited June 5, 2017).
5. Attached as Exhibit 3 to this declaration is a true and correct PDF copy of the following article: Andrew Revkin, *Industry Ignored Its Scientists on Climate*, N.Y. Times, Apr. 23, 2009, at A1 *available at* http://www.nytimes.com/2009/04/24/science/earth/24deny.html.
6. Attached as Exhibit 4 to this declaration is a true and correct PDF copy of the following article: Sophie Yeo, *Industry group tries to drop out of children's lawsuit*, Wash Post (May 24, 2017) https://www.washingtonpost.com/news/energy-

environment/wp/2017/05/24/industry-group-tries-to-drop-out-of-childrens-climate-lawsuit/. In this article, NAM Senior Vice President and General Counsel Linda Kelly is quoted as saying, "After every election, the NAM evaluates what cases we need to be involved in to protect manufacturers' interests. As the dynamics have changed over the last several months, we no longer feel that our participation in this case is needed to safeguard industry and our workers." The author of the article also wrote that Kelly "said that — after joining the lawsuit during the Obama administration — the business organization was now confident that the Trump administration would strongly defend the case. That made it less of a priority for the manufacturing association, she said."

7. Attached as Exhibit 5 to this declaration is a true and correct PDF copy of the following article: Neela Banerjee, *Fossil Fuel Groups Want Out of Children's Climate Change Lawsuit*, Inside Climate News (May 26, 2017), https://insideclimatenews.org/news/26052017/children-climate-change-lawsuit-fossil-fuel-api. In this article, NAM Senior Vice President and General Counsel Linda Kelly is quoted as saying in an emailed statement that "As the dynamics have changed over the last several months, we no longer feel that our participation in this case is needed to safeguard industry and our workers[.]" The author of the article also wrote that Kelly said, "We fully support the efforts of the remaining defendants to push back against the plaintiffs' ill-conceived legal theory of regulation by court decree, and we are confident they will ultimately prevail."

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 5th day of June, 2017, at Eugene, Oregon.

Respectfully submitted,

/s/ Julia A. Olson